



Re-exam

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

ALCATEL USA RESOURCES, INC.

§ For U.S. Patent No. 6,874,090

§

§ Inventors: See, et al.

Reexamination Proceeding

Control No.: 95/000,167

§ Issued: March 29, 2005

Filed: Unassigned

§ Atty. Docket No.: 15903-8

Mail Stop *Inter partes* Reexam  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



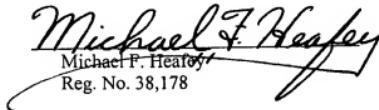
**THIRD PARTY REQUESTOR'S NOTICE OF INTENT NOT TO RESPOND TO  
COMMUNICATION OF SEPTEMBER 26, 2006 AND TO WITHDRAW,  
WITHOUT PREJUDICE, REQUEST FOR *INTER PARTES* REEXAMINATION**

On August 7, 2006, Foundry Networks, Inc. filed a request for *inter partes* reexamination of U.S. Patent No. 6,874,090. On September 26, 2006 the Patent Office transmitted a communication regarding Foundry Network's request for *inter partes* reexamination.

Foundry Networks gives notice that it will not respond to the communication of September 26, 2006.

Foundry Networks hereby withdraws, without prejudice, its request for *inter partes* reexamination. Foundry Networks requests that the Patent Office return the filing fee for the request by crediting the fee to Deposit Account No. 15-0665.

Respectfully Requested,

  
Michael F. Heafey  
Reg. No. 38,178

